

AMENDED IN ASSEMBLY APRIL 6, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1988**

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**Introduced by Assembly Member Hagman**

February 17, 2010

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An act relating to the Chino Valley Unified School District, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1988, as amended, Hagman. Chino Valley Unified School District: minimum schoolday.

(1) Existing law prescribes the minimum length of time for the instructional school year and the minimum number of instructional minutes per schoolday. Existing law imposes fiscal penalties on school districts and county offices of education that fail to maintain those minimum instructional times per school year or schoolday.

This bill would deem the Chino Valley Unified School District to have offered the minimum number of days of instruction in the 2008–09 school year if the district operates grades 4 to 6, inclusive, in the Dickson Elementary School and the Rolling Ridge Elementary School for 10 additional schooldays between June 15, 2009, and July 1, 2011, *and maintains, for each of these 10 days, and for each of those schools, attendance equal to at least 75% of the 2008–09 total enrollment reported to the State Department of Education for grades 4 to 6, inclusive, for each of those schools*, as specified.

(2) The California Constitution provides that a special statute is invalid in any case if a general statute can be made applicable.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Chino Valley Unified School District.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. For purposes of calculating the penalty pursuant  
2 to subdivision (c) of Section 46200 of the Education Code, the  
3 Chino Valley Unified School District shall be deemed to have  
4 offered 180 days of instruction in the 2008–09 school year if the  
5 school district:

6     (a) Operates grades 4 to 6, inclusive, in the Dickson Elementary  
7 School and the Rolling Ridge Elementary School for 10 additional  
8 schooldays between June 15, 2009, and July 1, 2011, where each  
9 schoolday contains at least 240 instructional minutes for each grade  
10 level.

11     (b) *Maintains, for each of the 10 additional days of operation*  
12 *and, for each school being operated pursuant to subdivision (a),*  
13 *attendance equal to at least 75 percent of the 2008–09 total*  
14 *enrollment reported to the department for grades 4 to 6, inclusive,*  
15 *at each school.*

16     ~~(b)~~

17     (c) Reaches an agreement, concerning employee compensation  
18 for the 10 additional days of operation, with each local bargaining  
19 unit representing certificated or classified employees of the district.

20     ~~(e)~~

21     (d) Provides a quality educational program during each of the  
22 10 additional days of operation, that includes standards-aligned  
23 instruction by highly qualified teachers, class sizes that are  
24 approximately the same as those during the rest of the 2008–09  
25 school year, and support services that are equivalent to those  
26 provided during the rest of the 2008–09 school year. Those support  
27 services shall include, but are not limited to, access to computers,  
28 library services, counselors, and school nurses.

29     SEC. 2. The Legislature finds and declares that a special law  
30 is necessary and that a general law cannot be made applicable

1 within the meaning of Section 16 of Article IV of the California  
2 Constitution because of the unique circumstances of the Chino  
3 Valley Unified School District.

4 SEC. 3. This act is an urgency statute necessary for the  
5 immediate preservation of the public peace, health, or safety within  
6 the meaning of Article IV of the Constitution and shall go into  
7 immediate effect. The facts constituting the necessity are:

8 In order to resolve the matter involving the minimum schoolday  
9 for grades 4 to 6, inclusive, in the Chino Valley Unified School  
10 District and to avoid serious economic hardship for the school  
11 district, it is necessary that this act take effect immediately.